

United States District Court
Eastern District of Texas
101 E. Pecan St. Rm 216
Sherman, Texas 75090

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JUN 20 2013

BY
DEPUTY

Docket# 4:13cv337

Polly A. Graves-Taylor
Plaintiff

VS.

I R S / ACS Support Systems
Ester E. Crawl-Bay, P. Rogers, Anna S. Medlock,
Susan Merdith, Maggie L. Houston, Patricia La Posta,
Debra K. Hurst, Kevin L. Parker, Ursula S. Dean,
L. L. Paule.

Defendants

Plaintiff Original Petition

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Polly A Graves-Taylor (plaintiff) praying for relief of Liable, Extortion, Civil Rights Violations, Illegal Seizer of Funds. After responding to all the named defendants showing them I have no liability to the I R S especially from a 2003 / 1040. Being denied access to the Appeal process; Appeal Office, ignoring or not responding to request of any due process, the U. S. Tax Court has said it doesn't have jurisdiction since none of the Notices To Levy met I R S Code. My Civil Right to due process has been denied because I'm a 63 year old poor black female who has no recourse.

Blocked Refund; Seizure

The I R S / ACS Support Systems and its defendants (as named) knew from repeated letters of denial of any funds owed the I R S, because they kept sending form letters saying they was going to investigate, then do nothing and start sending demand notices, notices to levy. Polly A. Graves-Taylor (plaintiff) has paid her fair share of taxes for over forty (40) years; has been fighting the named defendants for the last six years. Denied her civil rights

under (42 U. S. C. Sec 1983) not honoring her appeal. Not waiting ninety days before attempting to collect after sending notice of levy which did not meet I R S code, while Polly A. Graves-Taylor (plaintiff) had petition the Tax Court for relief; 26 U S C 6213(a).

The statue of limitation has expired (26 U. S. C. Sec 6502 (a)2) not that Polly A. Graves-Taylor needed it since the I R S audit 12-01-2010 Tracking ID # 100085740963 from 2003 through 2010 showed no monies owed the I R S since 2005 in addition Polly A. Graves-Taylor (plaintiff) has her 1040 tax forms (Statements) from 2003 to 2012. Where is the supervision at Fresno, California? ACS Support Systems and the named employees have denied or never answered my appeals, no response from the Appeal Office, Polly A. Graves-Taylor (plaintiff) was told she couldn't appeal because the notice to levy was not properly coded. The U. S. Tax Court judged it not in their jurisdiction to legislate because all of the notices, Notices to Levy did not meet I R S Code.

I R S agent L. L. Paule violated plaintiff's Fourth Amendment Right because he or she knowingly, wrongfully, filed to Garnish, Seize her wages without notice, due process. Obviously because this agent feel he or she have absolute immunity; 472 U. S. 511 (105 S. Ct. 2806, 86L. Ed 2d 411); only the President of the United States have absolute immunity.

Damages / Seizure

ACS Support Systems; Susan Meredith filed a false report on or about October 6, 2008 claiming a deficiency of \$2,935.08 thus seizing Polly A. Graves-Taylor (plaintiff's) stimulates check for 2008 of \$200.00, 2009 stimulates check of \$300.00; on October 13, 2006 I R S Seized her refund of \$737.00 on her 2006 return and applied it to December 31, 2005 tax period. On September 27, 2011 a false report was filed from ACS Support Systems from P. Rogers showing a deficiency of \$2,991.40. On September 14, 2011 Polly A. Graves (plaintiff) requested a Collection Due Process or Equivalent Hearing in writing form (12153) and received no response.

On September 30, 2011 Polly A. Graves-Taylor (plaintiff) received notice from Maggie L. Houston of a deficiency of \$3,798.34. On October 31, 2011 Polly A. Graves (plaintiff) received a Transcript from Patricia LaPosta that was falsified and Polly A. Graves-Taylor (plaintiff) corrected it and returned it showing a refund of \$628.00 with no response. On March 22, 2012 plaintiff received notice from P. Rogers of a deficiency of \$3,892.53. On April 05, 2012 plaintiff sent Certified Mail requesting an Appeal to the I R

S Appeal Office in Austin, Texas for the third time. On September 27, 2012 Polly A. Graves-Taylor (plaintiff) appealed to the U S Tax Court, 400 Second St. N. W., Washington, D. C. 20217-0002.

Plaintiff received notice of deficiency of \$1,555.08 from P. Rogers on September 22, 2012.

On December 24, 2012 Polly A. Graves-Taylor (plaintiff) received notice from ACS Support Systems Denise Lage, I R S seized her 2010 refund of \$628.00 and her 2011 refund of \$841.00 and applied it to her 2003 tax deficiency.

On January 29, 2013 plaintiff received a final notice of intent to levy for a deficiency of \$1,567.34 from I R S / A C S Support Systems, no name signed.

On June 7, 2013 L. L. Paule of ACS Support, Fresno, California seized 50% of Polly A. Graves-Taylor (plaintiff) pay check before taxes in the amount of \$805.00; with another 50% schedule to be seized June 21, 2013 in the amount of \$805.00 totaling \$1,610.00 in extortion monies unless she agree to payments.

Polly A. Graves-Taylor (plaintiff's) Constitutional Fourth Amendment Right of Illegal Seizer was breached; (42 U S C Sec 1983) was breached, (26 USC 6213 (a)) waiting ninety days was breached see **Exhibit's A, B, C.**

As of a result of defendants illegal seizures and defendant I R S agent L L Paule June 7, 2013 seizure of 50% of plaintiff's paycheck in the amount of \$805.00 and June 21, 2013 illegal seizure of 50% of plaintiff's paycheck in the amount of \$805.00 bringing the total to \$1,610.00. Plaintiff had to resort to borrowing monies from a predatory lender at an annual percentage rate of 80%, to protect the \$10,000.00 equity in plaintiff's home, \$13,000.00 automobile; plaintiff had to forego vacations in 2010, 2011, 2012, 2013 because of illegal seizures from the named defendants of I R S /A C S Support Systems. On June 5, 2013 plaintiff learned from Aon Hewitt Garnishment Services that I R S agent L L Paule of A C S Support Systems had garnished 50% of her paycheck before taxes and there was nothing she could do about it; she better be glad they didn't take her whole check.

These actions caused plaintiff to have an accelerated heart rate, plaintiff suffers from congestive heart failure, hypertension, low blood-sugar, Migraine headache, mental anguish, restless nights sleeping to this day as a result of being denied her civil and Fourth Amendment Right for the past six(6) years.

Relief Summary

- A. Refund Stimulates checks in the amount of 2008, \$200.00, 2009, \$300.00 totaling \$500.00.
1. Refund 2010 /1040 in the amount of \$628.00
2. Refund 2011 / 1040 in the amount of \$841.00
3. Refund 2012 / 1040 in the amount of \$871.00
4. Return immediately, or refund, \$1,610.00 illegally seized June 07, 2013 and June 21, 2013 in partials of \$805.00 each.
5. Reasonable attorney fees and court cost in the amount of \$10,000.00

Polly A. Graves-Taylor (plaintiff) prays that said court, or jury grant relief in the form of Treble Damages (523 U. S. 213 (1998) of the actual damages of \$14,450.00.

Plaintiff further pray upon the court and or jury to award plaintiff Exemplary Damages for breach of Fourth Amendment Right, pain, suffering, mental anguish, financial damages, civil rights violations for six(6) years; (42 U. S. C. Sec 1983) in the amount of \$60,000.00.

Motion for Injunction

Polly A. Graves-Taylor (plaintiff) seek relief in the form her Fourth Amendment Right; of an injunction to refrain I R S / ACS Support Systems agent L L Paule, and Aon Hewitt Garnishment Services from seizing and restoring monies illegally seized on June 07, 2013 and June 21, 2013 and returned to plaintiff's paycheck; until Discovery to further eliminate future financial damage, hardship.

EXHIBIT D

Respectfully Submitted;

Polly A. Graves Taylor Date June 20, 2013
Polly A. Graves-Taylor (plaintiff)
2045 Knights Ct.
Allen, Texas 75013

214/383-9700 Fax 469/467-8254

Parties and Service of Citation

Plaintiff is Polly A. Graves-Taylor an individual residing at 2045 Knights Ct. Allen, Texas 75013; Pho 214/383-9700 Fax 469/467-8254.

Defendant I R S / ACS Support Systems; L L Paule, Ester E. Crawl-Bay, P. Rogers, Anna S. Medlock, Susan Merdith, Maggie L. Houston, Patricia LaPosta, Debora K. Hurst Kevin L. Parker, Ursula S. Dean. Fresno, California 93727-5136.